From: Los Angeles Association of Deputy District Attorneys
To: Daniel Cohen
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Courts, Rulings & Lawsuits

Second Circuit revives suit from Connecticut veteran challenging state park handgun law

Connecticut veteran David Nastri is allowed to challenge the constitutionality of handgun carry laws in state parks, the Second Circuit Court of Appeals ruled on Friday. Nastri sued Connecticut officials last year over a rule that bars the carrying of handguns in state parks for self-defense purposes but allows it for

hunting and sport.
Courthouse News Service

Murder convictions upset based on reading of preliminary hearing testimony
A judge erred in admitting the preliminary hearing testimony of a missing key witness in a special-circumstance murder case against two persons accused of murdering the victim and burning him alive where the prosecution knew that the witness lived a transient lifestyle and had gone missing at least two years earlier yet failed to search for her until shortly before the trial, Div. One of the Fourth District Court of Appeal has held.
Metropolitan News-Enterprise

Actor who says he was falsely accused by LA County DA files lawsuit after charges dismissed, evidence debunked
Actor Joseph Gatt sued Los Angeles County, DA George Gascón, a former prosecutor, and an LAPD detective Thursday, alleging that they failed to investigate a teenager's claims before publicly announcing felony charges against him, only to quietly dismiss the case nearly two years later after a forensic examination showed the purported evidence had been fabricated, and no crime had taken place.
NBC4

Ninth Circuit: Prop 65 warnings can count as compelled speech
Under the Supreme Court's commercial speech jurisprudence, businesspeople do not check their First Amendment rights at the gate when they enter the marketplace. In a significant application of this principle, a panel of the Ninth Circuit ruled in November that California may be barred from requiring businesses to "disclose" through labeling scientifically dubious and misleading allegations about their products.
Cato Institute

Gaetz and Greene can sue Riverside and Anaheim for canceled rallies, judge rules
A lawsuit from Reps. Matt Gaetz and Marjorie Taylor Greene against Anaheim and Riverside, accusing the cities of wrongfully canceling their rallies in 2021, can move forward, a federal judge has ruled. The ruling rejects the cities' attempts to be dismissed from the case. It does allow political advocacy groups that were also sued to be dismissed.
San Bernardino Sun

Activist actor Kendrick Sampson cleared for trial against LAPD over Black Lives Matter protest
A federal judge cleared actor and activist Kendrick Sampson to take the Los Angeles Police Department to trial over claims that officers used excessive force against him during a Black Lives Matter demonstration in the wake of the murder of George Floyd in 2020.
Courthouse News Service

Dismissal upheld in RICO suit against Garcetti, others
The Ninth U.S. Circuit Court of Appeals yesterday affirmed the dismissal of an action alleging corruption on the part of government officials, including the assertion that then-Los Angeles Mayor Eric Garcetti in 2018 agreed to accept a bribe in return for facilitating the award of a contract to a technology company.

Metropolitan News-Enterprise

Ninth Circuit set to decide if federal judges can expunge state convictions
The Ninth Circuit heard arguments Thursday in a nine-year-old case seeking to expunge the conviction of the man accused of starting the 1970 Pioneer Hotel Fire in Tucson, Arizona. Louis Taylor was sentenced to life in an Arizona state prison in 1972, two years after 29 people died in one of the most devastating fires in Tucson's history.
Courthouse News Service

LAPD officer who moonlights as gun influencer loses lawsuit over social media accounts
A Los Angeles police officer turned gun rights influencer alleged in a lawsuit last year that she was retaliated against after refusing the former chief's orders to delete her social media accounts, which showed her firing guns at shooting competitions and on training ranges. On Thursday, after a two-and-a-half day trial, a jury responded to the question of whether Officer Toni McBride had been treated unfairly with a one-word response: "No."
Los Angeles Times

Law allowing local governments to override initiative-based zoning restrictions upheld
Div. Two of this district's Court of Appeal has held that a 2023 state statute allowing counties and cities discretion, on a parcel-by-parcel basis, to override local housing density caps - including those adopted by local voters' initiatives - does not violate the state Constitution. "Does this legislation violate the initiative power enshrined in article II, section 11 of the California Constitution?" Justice Brian M. Hoffstadt of Div. Two asked.
Metropolitan News-Enterprise

Los Angeles court staff to be trained in reporting, interpreting
Los Angeles County Superior Court will provide certain employees with training to become court reporters and court interpreters starting in July 2024, as part of a push to address persistent vacancies that threaten access to justice, according to a Tuesday news release. About one quarter of positions in Los Angeles County for court reporters, the officials who create and maintain verbatim records, are empty.
Bloomberg Law

Letter sent by Loeb & Loeb partner was not protected
The Court of Appeal for this district yesterday ordered reinstatement of an action against the law firm of Loeb & Loeb, giving Los Angeles Superior Court Judge Randolph Hammock something a trial judge seldom hopes for - a reversal. Hammock, in granting an anti-SLAPP motion sought by the law firm on July 12, 2022, commented that the outcome was "probably not" fair and urged the plaintiffs to appeal.
Metropolitan News-Enterprise

DA's Race

Hochman leads Gascon
Wasting no time, the Nathan Hochman campaign conducted a poll at the end of March - about three weeks after the primary - and they seem to have found some very good news. The poll, a survey of 817 Los Angeles County registered

voters conducted by WPA Intelligence out of DC with a 3.4% margin for error, has Hochman ahead of incumbent George Gascon in the county District Attorney's race by 21 points.
California Globe

It's official: Gascon Vs. Hochman in November
Los Angeles County has finished counting votes and current District Attorney George Gascon topped the primary field with 25% of the vote and Nathan Hochman finishing second with about 16%. How, you may be asking, can one-in-four county residents vote for Gascon? The power of the incumbency and rabid support on the progressive/socialist left make that possible.
California Globe

Prosecutors

LAPD lieutenant who re-tweeted anti-drunk-driving message charged in felony DUI
An off-duty Los Angeles Police Department lieutenant who has posted anti-drunk-driving messages online was charged with felony DUI on Wednesday in connection with a crash on the 605 Freeway in Santa Fe Springs that injured at least one person over the weekend. Matthew Ensley was arrested at the scene late Sunday by the California Highway Patrol on suspicion of felony driving under the influence.
Los Angeles Times

Scientology tried to 'derail' star's rape trial by harassing prosecutor, suit says; church calls claim 'false'
Nearly six months after actor Danny Masterson was convicted of sexually assaulting two fellow members of the Church of Scientology, lawyers for his victims filed a document that contained a stunning new allegation against the faith. Submitted in a downtown Los Angeles court as part of a years-old civil lawsuit against Scientology, the document referenced a purported effort by the church to "derail" the criminal proceedings against Masterson.
Los Angeles Times

2 charged with murdering man who was 'executed' while he dined at popular LA restaurant
Two men have been charged with murder in connection with the execution-style killing of another man as he ate dinner in a popular downtown Los Angeles restaurant. Sidney Barrett Morris, 43, had been dining alone at the Fixins Soul Kitchen on Nov. 28, 2023, around 6:15 p.m. when the crime happened, according to a press release shared by the L.A. County District's Attorney's Office on Thursday.
People

Feds want Sean 'Diddy' Combs' communications, flight records in sex trafficking probe
Federal investigators are seeking telecommunications records involving Sean "Diddy" Combs as part of an investigation into alleged sex trafficking, a source close to the investigation told The Times. The news comes several days after the Department of Homeland Security served search warrants at Combs' Los Angeles and Miami estates.
Los Angeles Times

Policy/Legal/Political

CSU trustees want BLM co-founder to appear for deposition
California State University trustees want the co-founder of Black Lives Matter-Los Angeles, who is a Cal State Los Angeles professor, to appear at a deposition in her lawsuit alleging she was wrongfully removed with force by campus police from a 2022 mayoral debate. Melinah Abdullah's Los Angeles Superior Court lawsuit alleges battery, assault and false imprisonment.
MyNewsLA

The city of Malibu is taking a family to the state supreme court to stop them from building a tiny home in their backyard for their elderly parent
California policymakers have done a lot to make building a backyard tiny-home easier than ever before. That's because accessory dwelling units - smaller, extra homes on existing lots, also known as "granny flats" - are a good way to add density to residential neighborhoods full of single-family homes.
Business Insider

NCLA asks Ninth Circuit to overturn SEC's illegal gag rule on targets of settled enforcement cases
The New Civil Liberties Alliance has filed a petition with the U.S. Court of Appeals for the Ninth Circuit to review the Securities and Exchange Commission's denial of our long-standing petition to amend the agency's "Gag Rule." In place for over five decades, this pernicious rule forbids every American who settles a regulatory enforcement case with SEC from even truthfully criticizing their cases in public.
New Civil Liberties Alliance News Release

State Bar of California publishes reports outlining fee increase needs
As required by the Legislature, the State Bar has published three reports detailing its funding needs to support its public protection mission in 2025 and beyond. The three interdependent reports provide lawmakers, who approve the fee bill every year, with recommendations and options to ensure that the State Bar's funding adequately supports its mission.
State Bar of California News Release

Los Angeles City/County

FBI offers reward for information in Torrance electrical station sabotage
The FBI announced a reward of up to $25,000 Tuesday for information that leads to the arrest of the person who tried to sabotage an electrical substation in Torrance last August. Images from security video shared by the FBI show a person wearing a wide-brimmed hat and a long tan coat near the facility, and agents said they believe this is the person who shut off circuit breakers and fired a gun into a transformer at the substation owned by Southern California Edison on Madrona Avenue in Torrance.
NBC4

California DOJ civil rights probe of Sheriff's Department headed to settlement, sources say
More than three years after the California Department of Justice launched a civil rights investigation into the Los Angeles County Sheriff's Department, the case is headed toward a sprawling settlement agreement expected to touch on

issues including jail conditions, deputy gangs and staffing, according to sources familiar with the matter and emails viewed by The Times.
Los Angeles Times

LA County starts distributing 60,000 free gun safety locks
To address the public health crisis of gun violence, the Los Angeles County Office of Violence Prevention, housed in the Department of Public Health, has made 60,000 gun safety locks available to the public; free, no questions asked. Later this year, gun safety locks will also be made available at Los Angeles County libraries.
County of Los Angeles Public Health News Release

Sheriff's Department flouts county request for info on alleged deputy gang, report says
The Los Angeles County Sheriff's Department has failed to answer questions about its investigation into a recently uncovered deputy gang, according to oversight officials, flouting a request from local leaders earlier this year. In a short but scathing report issued Thursday, Inspector General Max Huntsman said the department's handling of the Industry Station Indians probe created only the "outward appearance" of a crackdown on the controversial groups.
Los Angeles Times

Ex-deputy says he was fired after refusing to affiliate with alleged deputy gang
A former Los Angeles County sheriff's deputy says he was fired after refusing to take part in law enforcement gang activity, according to a lawsuit filed in Los Angeles County Superior Court. Federico Carlo, the ex-lawman behind the suit, alleges he was wrongly accused of giving a Nazi salute and sharing a sexually explicit photo, then "abruptly terminated" by a "tattooed Regulator deputy gang member" who is now the acting commander overseeing training and personnel.
Los Angeles Times

At the trial of an L.A. deputy mayor, jurors got a grimy portrait of City Hall
The 12 jurors who decided the fate of former Los Angeles Deputy Mayor Raymond Chan got an inside look at what went on at City Hall during the real estate boom that preceded COVID-19. The picture painted for them by prosecutors was deeply disturbing - and enough to result in Chan's conviction on 12 counts.
Los Angeles Times

Former top LAPD official accused of tracking woman with AirTag alleges cronyism by ex-chief
After rising to become one of the highest-ranking Latinos in the history of the Los Angeles Police Department - once a possible candidate to be the city's next chief - Alfred "Al" Labrada was demoted and recommended for firing in the span of a few weeks. Labrada's precipitous fall came amid allegations last year that he had inappropriately monitored a female colleague with whom he was romantically involved.
Los Angeles Times

California/National

California Governor to deploy 500 surveillance cameras to Oakland to

fight crime
Hundreds of high-tech surveillance cameras are being installed in the city of Oakland and surrounding freeways to battle crime, California Gov. Gavin Newsom announced Friday. Newsom, a Democrat, said in a news release that the California Highway Patrol has contracted with Flock Safety to install 480 cameras that can identify and track vehicles by license plate, type, color and even decals and bumper stickers.
AP

CA Governor issues 37 pardons, 18 commutations and asks State Supreme Court to pardon podcaster with links to actor Morgan Freeman
Earlonne Woods, a well-known podcaster formerly incarcerated at San Quentin who recently agreed to do a documentary with actor Morgan Freeman, is among 37 pardons and 18 commutations granted by California Gov. Gavin Newsom made public Friday.
AP

After issuing death sentence on CA's death penalty, Gov. Newsom approves 3 more prison closures
"Newsom has approved three California prison closures but resists pressure to shutter more," the Los Angeles Times headline reports… as if Gov. Newsom is so altruistic, he is restraining himself from closing more prisons - for the good of the people. After running for governor on upholding voter's support of the death penalty, California Gov. Gavin Newsom announced in March 2019, shortly after taking office, that he would grant reprieves for all death penalty murderers on California's death row.
California Globe

California clears some criminal records, including violent crimes, to offer second chances
California has allowed expungements of misdemeanors and some lower-level felonies, but not crimes that would be serious enough to send the offender to prison. That's no longer the case: Under Senate Bill 731, which went into effect in mid-2023, Californians with most kinds of felony convictions, including violent crimes, can ask for their records to be cleared.
CalMatters

Insights from police response to Super Bowl parade shooting
On Feb. 14, one woman was killed and 22 people were injured from gunshots fired just after the conclusion of the parade celebrating the Kansas City Chiefs' Super Bowl win. A recent and fascinating interview with the police officer who oversees the department's communications provides insight and sage advice.
PRCG

Crime

In one of L.A.'s largest cash heists, burglars steal as much as $30 million. Mystery surrounds case
In one of the largest cash heists in Los Angeles history, thieves made off with as much as $30 million in an Easter Sunday burglary at a San Fernando Valley money storage facility, an L.A. police official said. The burglary occurred Sunday night at a facility in Sylmar where cash from businesses across the region is handled and stored, said L.A. Police Department Cmdr. Elaine Morales.

Los Angeles Times

Tracking tech hidden inside stolen WSS merchandise helps LAPD nab suspects in North Hills
Police say several suspects grabbed merchandise from the WSS shoe store in North Hollywood before fleeing, but it wasn't long before police caught up with them. The Los Angeles Police Department says that it was thanks to tracking technology that they were able to locate the thieves and the stolen merchandise at a North Hills apartment complex Tuesday night.
ABC7

FOX 11's Susan Hirasuna gets her stolen Tesla back after car dies mid-police chase
FOX 11 anchor and reporter Susan Hirasuna ended up being the victim of a crime after she parked her car near the United Theater on Broadway in downtown Los Angeles for a concert Thursday night. After the concert, Hirasuna discovered her Tesla had been stolen. She and her friend then drove to the LAPD administrative building on Main St. But before she could even file a report, patrol officers with the Los Angeles Police Department attempted to stop the vehicle for reckless driving.
Fox11

Aggravated assaults are rising in California, driven by gun violence, researchers say
Researchers across California are concerned as aggravated assaults continue to rise, driven by what they say is an increase in crimes involving guns. Although some kinds of violent crime - including rape and homicide - are trending down, aggravated assault numbers are up, outpacing the nationwide average, according to data from the FBI.
Riverside Press-Telegram

Convictions/Pleas/Sentences

Parents plead no contest in 4-year-old Palmdale boy's death
The parents of a 4-year-old Palmdale boy are facing potential life prison sentences next month following their no-contest pleas to murder and torture charges in their son's July 2019 death, which was originally reported as a drowning. Jose Maria Cuatro Jr., 32, and Ursula Elaine Juarez, 30, were indicted four years ago in the death of their son, Noah Cuatro.
MyNewsLA

Second agent pleads in embezzlement case
The second of two men accused of using the state's Department of Justice to embezzle funds took a plea deal this week, according to the L.A. County District Attorney's Office. District Attorney George Gascón announced charges against Eric Bunde and James Biscailuz, both 56, in January 2023, accusing them of "diverting about $12,500 in government funds to one of their companies," according to a news release from the time.
The Signal

Romanian national sentenced to more than 6 years in prison for leading scheme that stole benefits from low-income families
A Romanian man has been sentenced to 75 months in federal prison for leading a group that used illegal skimmers on ATMs to harvest data, created counterfeit debit cards using the stolen account holder information, then used

the cloned cards to make cash withdrawals from numerous victims, including low-income individuals on public assistance, the Justice Department announced today.
U.S. Attorney's Office Press Release

Articles of Interest

Churchill Downs faces lawsuit over extended ban of controversial horse trainer
A horse racing stable owned by Saudi billionaire Amr Zedan sued the Churchill Downs racetrack on Wednesday, protesting a ban on horses trained by infamous trainer Bob Baffert. Zedan wants to enter his race horse Muth, winner of this year's Arkansas Derby, in the Kentucky Derby at Churchill Downs this May.
Courthouse News Service

DARE didn't make kids 'say no' to drugs. It normalized police in schools
There's no such thing as a universal millennial experience, but DARE comes close. Starting in 1983, the Drug Abuse Resistance Education program sent police officers into classrooms to teach fifth- and sixth-graders about the dangers of drugs and the need, as Nancy Reagan famously put it, to "just say no."
Reason

'Soft on crime': 'Fox & Friends' host grills RFK Jr. over his 'way left' VP pick
Kennedy in March selected Silicon Valley lawyer Nicole Shanahan as his 2024 running mate, asserting she shared his views on health, censorship, immigration, and more. However, Shanahan has come under fire for supporting certain soft-on-crime policies on which Kilmeade grilled Kennedy during the Fox News interview.
Daily Caller

Trump has 'plenty to worry about' after Eastman ruling: Legal analyst
Legal analyst Jennifer Rubin wrote in an opinion column on Sunday that Donald Trump has "plenty to worry about" after Wednesday's ruling by a California state bar court that recommended John Eastman, Trump's former attorney, be stripped of his law license. The ruling was issued by Judge Yvette Roland following a complaint against Eastman from the California State Bar in 2023.
Newsweek

How will the Baltimore bridge collapse affect prices and the West Coast?
The collapse of the Francis Scott Key Bridge and the closure of the Port of Baltimore this week could have far-reaching implications all the way across the country for the ports of Los Angeles and Long Beach, according to several experts. Longer term, ports in Los Angeles and Long Beach could see more activity, especially with drought conditions reducing the capacity of the Panama Canal, Anderson said.
Los Angeles Times

Chains respond as state law raises fast-food workers' minimum wage to $20 hour

Fast-food workers across the state were celebrating a boost to their minimum wage today thanks to a new California law taking effect, but some large chains were considering hiking prices on their menu to cover the costs. The minimum wage jumped to $20 an hour for fast-food workers effective Monday.
City News Service

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